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Air District publishes draft changes to water heater rule that delay implementation and lower costs

Draft amendments directly address affordability concerns and installation barriers while maintaining public health benefits

SAN FRANCISCO – On July 14, the Bay Area Air District released [draft amended rule language](#) outlining potential exemptions and a delayed start date for the existing zero-NOx residential water heater requirement under Air District Rule 9-6. The Air District is publishing the draft language for public review and comment ahead of the Board of Directors' consideration for adoption this fall.

The [draft amendments delay the implementation date](#) from January 2027 to January 2028. They also exempt low-income property owners and situations where electrical panel or physical space constraints make the transition to cleaner appliances especially difficult or expensive. The amendments are designed to address affordability and installation challenges while preserving the rule's public health benefits.

"We heard from homeowners that the cost and logistics of switching to cleaner appliances can be real barriers, and we have responded by proposing common sense solutions," said Dr. Philip Fine, executive officer of the Air District. "A property owner with an older electrical panel, a tight utility closet or income constraints will have a clear path forward, so a broken water heater will never become a financial crisis. This is how we make cleaner air work for every household."

"I appreciate the work staff have put into evaluating implementation challenges and bringing forward options for the Board's consideration," said Air District Board Chair Lynda Hopkins. "These draft amendments demonstrate that we can adapt our approach without compromising cleaner air and healthier communities. I encourage residents to review the amendments and share their feedback as we continue the public process."

The Air District expects most exemptions to fall into three categories:

- Low-income property owners, including participants in programs such as Medi-Cal or CalFresh and households paying more than 28 percent of their income toward their mortgage and property taxes
- Space-constrained properties without enough room or ventilation to install a compliant unit
- Electrical limitations, such as panels below 100 amps, insufficient panel capacity or a need to run electrical lines more than 50 feet

Rule 9-6 has been in place since 1992, limiting emissions of nitrogen oxides, or NOx, from natural gas-fired water heaters. The Air District amended the rule in 2023 to set a zero-NOx standard that is set to take effect in January 2027. The standard applies only to new water heaters at the time of replacement, not to existing units. The proposed amendments, if adopted, would extend the compliance deadline by one year, while adding a series of exemptions to address affordability. NOx contributes to smog and fine particulate matter, and pollution from gas-fired water heaters and furnaces causes as many as 85 premature deaths in the Bay Area each year.

Members of the public can access the draft materials and learn more about the building appliance rules at the Air District's [Building Appliances webpage](#). Public comments will be accepted at comments.baaqmd.gov.

The Bay Area Air District is the regional agency responsible for protecting air quality and the global climate in the nine-county Bay Area. Connect with the Air District via [Facebook](#), [X](#), [Instagram](#) and [YouTube](#).

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